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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF UTAH**

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THE SCO GROUP, INC.

Plaintiff/Counterclaim Defendant

vs.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION

Defendant/Counterclaim Plaintiff

**EX PARTE MOTION FOR LEAVE  
TO FILE OVER-LENGTH  
MEMORANDUM**

**Case No. 2:03-CV-0294 DAK**

Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

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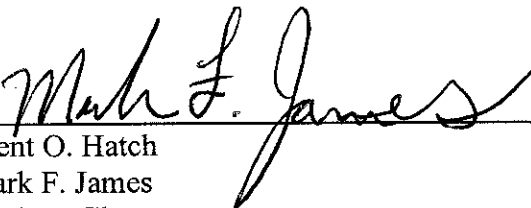
Plaintiff and Counterclaim Defendant The SCO Group, Inc. ("SCO") hereby respectfully moves the Court pursuant to District Court Rule 7-1(e) for leave to file an over-length Memorandum in Opposition to IBM's Motion to Strike Materials Submitted by SCO in Opposition to IBM's Cross-Motion for Partial Summary Judgment.

As SCO must address multiple issues and must explain and place many issues in context for the Court, SCO respectfully requests leave to file an over-length memorandum. The argument section of SCO's Memorandum in Opposition to IBM's Motion to Strike is approximately twenty-eight (28) pages in length. SCO has endeavored to be as concise as possible, but respectfully submits that the excess length is necessary to fully address the issues.

DATED this 7th day of September, 2004.

Respectfully submitted,

By:

  
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Counsel for Plaintiff/Counterclaim Defendant

**CERTIFICATE OF SERVICE**

Plaintiff, The SCO Group, hereby certifies that a true and correct copy of **EX PARTE MOTION FOR LEAVE TO FILE OVER-LENGTH MEMORANDUM** was served on Defendant International Business Machines Corporation in this 7<sup>th</sup> day of September, 2004 by U.S. mail, postage prepaid to:

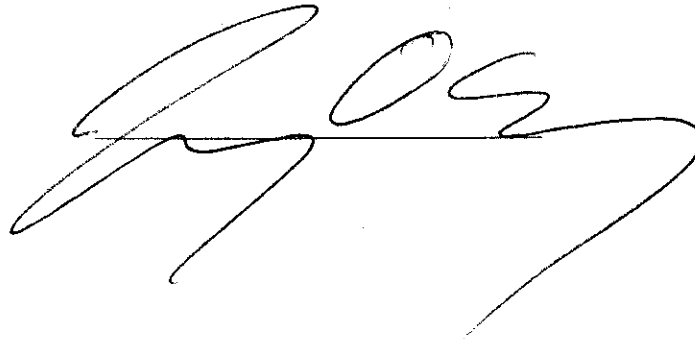
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*Attorneys for Defendant/Counterclaim Plaintiff IBM Corp.*

A handwritten signature in black ink, appearing to read 'D. Rosenberg', with a long horizontal stroke extending to the right.